

PUBLIC AND PRIVATE RIGHTS.—We find in the Boston Post the following notice of a case recently tried there. It may be of interest to some of our readers.

Commonwealth vs. Daniel Morely, of Uxbridge, for a nuisance in causing a town road to be overflowed by means of a dam erected for mill purposes, involved some important questions as to the relative rights of the public and the owner of a water power in laying out a highway over his premises. The road was located by the Selectmen, and the dam was begun by the defendant about the same time, and at the time the road was actually opened for travel and accepted by the Selectmen. The defendant contended that the public acquired no right to indicate for a nuisance to the public travel until the road was actually open for travel; and this part of the case turned on the question whether the right of the public accrued the moment the road was laid out, or when it was opened and appropriated for travel. The Court held that the latter was the point of time as to was not an indictment, and that the defendant's dam was not a nuisance, and he had a right to erect it, provided the capacity of the dam, at the time the road was opened for travel, was such as to overflow it, from the natural rise of the stream, without act of the defendant after the road became established as a highway. It was, however, left to the Jury to determine whether the defendant, in accepting the damages awarded by the Selectmen for his land and the cost of fencing, without including the water-power, amounting to \$360, intended to waive his rights as to the water privilege, or had abandoned the further prosecution of his dam, upon which he had then expended about \$600. On this point the Jury could not agree, and the papers were taken from them.

RHODE ISLAND.—A meeting of the adherents of the pretended government under the "People's Constitution," was held at Diamond Hill Plain, last Saturday, and was attended by about fifty armed men. About thirty armed men were collected the same day, at a point on the Douglass Turnpike. A meeting was held last Saturday evening, according to public notice, at Holmes' Brewery, in this city. It is said to have been attended by about one hundred and fifty men. A story was in circulation that several companies from Massachusetts were in Woonsocket last Saturday with a view of offering their services to the insurgents. The truth appears to be, that there was a training in Birmingham, which is two miles from Woonsocket, and one of the companies marched to that village under the escort of the Woonsocket company. A meeting of the same character was held at Chepachet yesterday. [Providence Journal]

MORE MURDER IN ARKANSAS.—The Times and Advocate of the 23d ult., says—"We learn by a gentleman direct from Pine Bluff, that on Thursday last, the 19th inst., Paul Vaughn deliberately shot two men, T. B. Tillery and Wm. Potts, with a double-barreled gun. The circumstances, as related to us, are, that Tillery and Potts claimed a certain parcel of lumber in possession of Vaughn, and Vaughn had threatened to kill them if they removed it. One of them did remove a portion of the lumber, but on seeing the other concluded to remove no more of it until they had a lawful right so to do. Shortly after, Vaughn met them, and without saying a word, shot Potts through the side. Tillery ran behind a pile of lumber, but Vaughn went round on the other side and discharged the contents of the other barrel at him, killing him instantly. Potts lived a few hours. Vaughn immediately crossed the river, where he had a horse, and fled to the woods."

DISCOVERY OF HUMAN BONES.—On Thursday last, as two young men, Messrs. Rees and Benedict, were removing some stone from underneath the meeting house owned and formerly occupied by the Baptist Society in West Stockbridge, they discovered what appeared to be human bones. Upon examination they were found to be the remains of what was once a human body; most of the bones were found, save the back bone and some smaller bones. The ribs, thigh, shin, arm, jaw and skull bones were perfect, although it is thought by some that they might have been affected by lime. The teeth were, without exception, sound, and remaining still in the jaws. The skull is of rather singular form, being most prominent on the back part of the head, and rather above the middle size; the other bones, however, seem to indicate that the person was of small stature. A corset-board was found among the bones, near the place where it would naturally have been worn. Upon the whole, the person must have been of small stature if a man, and of middling size if a female, which it is thought by some it was, from the circumstance of the corset-board being there in the situation in which it was found. It was evidently a young person, and removed by foul means. The bones appear to have been several years in the situation in which they were found. Various conjectures are formed respecting them, but no suspicion rests upon any one; and there is a mystery about them which will probably remain for ever unsolved.

[West Stockbridge (Mass.) Visiter.]

DREADFUL ACCIDENT.—On Wednesday last, James Fleming, one of the workmen in the limestone quarry of Mr. Yorks, in Buckingham township, Pa., was blown up and killed in a dreadful manner by a blast of powder. The deceased was in the habit of using a short match to fire the charge of powder, and he was remarkable for his rashness in exposing himself. It seems that the blast that caused his death must have exploded while he was standing over it, for he was blown up to a height of 70 feet, and entirely out of the quarry, terribly mangled, and died in about an hour after. He was an Irishman and a stranger, and was a sober, industrious man.

RESISTANCE OF THE LAW.—On Monday last, the 30th inst., John Trester, the master of a flatboat at the wharf, Memphis, (Tenn.) was shot while Capt. Locke was attempting to serve a warrant, issued at the request of the Wharf-master, as Trester refused to pay wharfage. On Col. Locke's approach to the flatboat all hands on board arranged themselves for fight, and a general conflict took place between the constable and his posse and the river men. There were many severe wounds given on both sides, and Trester died the day following.

AFFLICTIVE ACCIDENT.—We greatly regret to learn, that Mr. William M. W. Cochran of this city, a young gentleman universally esteemed, was thrown by the stumbling of his horse, while riding at New-Brookdale, a few days since, and has since lain at that place, senseless. It is sincerely hoped he may recover.

[Brooklyn Star.]

MISSISSIPPI MINERALS.—Several cornelians, agates and other species of mineral productions have lately been picked up from the earth in the neighborhood of Natchez, where they appear to have lain for a long time. How came they there?

KEY WEST, MAY 30.—On the 23d inst. the crew of the wrecked brig *Utopia*, of Boston, was tried, and a salvage of \$500 was adjudged to the wreckers. The salvage has been settled, and the brig will sail on her voyage to New Orleans in a day or two. On the 26th the wrecked brig *Laura*, Capt. Dunham, having settled the salvage claim and expense on her, sailed for New Orleans.

[Correspondence of the Col. & Eng.]

On Monday last, a herd of young Buffaloes and an elk, from the plains near the Rocky Mountains, were exhibited in this city. The owners were driving them to New-York, at which place we are to be shipped to England.

[Eric (Pa.) Gaz.]

We cannot esteem that man a friend of the country of the people, who will oppose the protection of the labor of this country against that of Europe. The loudest profession of love to the people cannot remove the taint while he advocates putting the toiling labor of the United States on a par with the poorly educated, poorly clothed, half-furnished and oppressed laborers of Germany, France and England.

[Bangor Whig.]

TWO CROPS.—The Richmond Enquirer says—"We have heretofor alluded to the peculiarity of the season as regards fruit, vegetables and flowers. We now have a similar distinction as to the grain crops. We learn from a distinguished farmer in Chesterfield, (Amphill,) that he commenced his harvest on Thursday last, and he says one of his neighbors has surpassed him, having not only cut and shocked his wheat, but ploughed up his ground and planted corn, thus producing two of the staple crops on the same land in one year. Perhaps the earliest wheat cut on James river is near Prentiss.

The defendant contended that the public acquired no right to indicate for a nuisance to the public travel until the road was actually open for travel; and this part of the case turned on the subject. The Natchez Free Trader says—"On the 26th of May a field of the Colee Creek plantation of our friend Anthony Hoggett, Esq., there was on the 26th of May a field of two hundred and fifty acres in full bloom, and we have a holl in our possession picked two weeks prior to that day."

On Sunday morning, 5th inst., a young man, fell overboard from the steamer Massachusetts, when on her way from St. Louis to this city, and was drowned. He was seen to rise twice or three times, but all attempts made to save him proved ineffectual. There was a paper, bound in his bundle, with the name of Abner Woodworth upon it. He had informed a fellow passenger that he belonged in Ashland county, Ohio, also that he had been West viewing land, but had made no purchases. He was supposed to have had \$200 in his possession when he met his fate. His effects were taken possession of by the officers of the boat.

The ship Mary Ellen sailed yesterday for Canton, having on board Dr. and Mrs. Parker, who receive a free passage from the owners. Religious services were performed on board, in the presence of a large number of friends, who had collected to bid farewell, and wish continued success to the labors of this devoted missionary.

The Anniversary of Lane Seminary took place yesterday, at Walnut Hills. The audience was larger than usual, and the exercises of the students better also. There was a decided improvement in the life and manner of speaking. The Seminary is now in a flourishing condition, and promises to be more so. [Cin. Chron. June 3.]

The Rev. Geo. S. White, of Canterbury, Conn., asks the aid of the newspapers in obtaining information of his son, George M. White, who left Connecticut in 1840, for San Antonio, Texas, and who afterwards formed a mercantile partnership with Mr. Foster, formerly of Boston. In July, 1841, Mr. White and Mr. Foster set out in company for some of the Mexican settlements 200 miles distant. It was afterwards rumored that they were kidnapped and murdered. These facts are stated in the hope that some of the friends of Mr. Foster may be able to throw some light upon the fate of White, which may be communicated to his father, whose residence is stated above.

Thirty-four Temperance papers have been commenced within a few months past, and all abound with the cheering and glorious conquests of the Temperance Reformation now progressing in our world. [Boston Merc. Jour.]

We understand that the Secretary of the Navy has directed the discontinuance of most of the Recruiting Stations for the Navy, for the same reason that induced him recently to delay the launching of several vessels now on the stocks.

[Alex. Gaz.]

CITY INTELLIGENCE.—Wednesday, June 12.

COURT CALENDAR FOR JUNE, 1842.—
SUPERIOR COURT.—Nos. 106, 135, 97, 10, 67, 21, 69, 89.

VICE CHANCELLOR'S COURT.—Before Vice Chancellor McCorn—DECISIONS.—William W. Holley and wife vs. John Glover.—This was an application in relation to the estate (valued at \$700,000) of the late John J. Glover, to whom Mrs. Holley was heirless, being one of the family of 12 children left by the deceased. The subject, in 1839, had been referred to a master by consent of both parties with directions that the executors place in the hands of Mr. Thomas Glover all the property belonging to the estate, and that he make a return specifying its value, and stating the amount of the various debts. Exception was taken by the plaintiffs to the report, and the subject is again referred to the Court. Ordered, that my account and statement of the facts be taken, *provisu facie*, as correct, with liberty to the parties to object to any particular portion, and that the master on such portion order an examination—the burden of the proof to be on the parties objecting. Sarah Glover and Martha Glover asked to have their accounts paid on the ground that the estate would not be settled for several years, but the Court thought it proper diligence was exercised it might be so in a short time. Prayer of the petitioners for the present decree.

In the SUPERIOR COURT an action was brought by Alex. G. Hamilton (on behalf of Daniel Robinson) against Jacob S. Carpenter, broker, Wall street, to compel the return of \$36, which said Hamilton had deposited with him to assure that he (Hamilton) would compensate a third party, Mrs. Holley, for damages sustained by her in the sale of a house at 100 Franklin street, Boston, to Mr. A. W. Vassall. He concluded, afterwards, not to take the stock which he had placed with him to earn the earnest money he had a right to, and the market in consequence of his sale of the house at 100 Franklin street, Boston, to Mr. A. W. Vassall.

COPPER.—New Sheeting is dull at 4 cents. Copper—The market is still dull and without improvement, notwithstanding the fall of the public works, provided the transports or owners of the boats, &c., will reduce their rates accordingly so as to render transportation on the State Improvements of Pennsylvania cheaper than on any other work in the United States of the same extent.

At Baltimore City Gates are held at 90, including the dividend. Nothing doing, the transfer books being closed.

[Markets.]

Review of the New-York Market.—
FOR THREE DAYS PRECEDING JUNE 13.

ASHES.—Sales—See the 10th inst. in \$25, and 50 Pearls \$52.

COTTON.—The market has revives somewhat, and the sales are about 1000 bales.

FLOR.—The market is still dull and without improvement, notwithstanding the fall of the public works, provided the transports or owners of the boats, &c., will reduce their rates accordingly so as to render transportation on the State Improvements of Pennsylvania cheaper than on any other work in the United States of the same extent.

PEAS.—Sales—See the 10th inst. in \$25, and 50 Pearls \$52.

INDIA.—Sales—See the 10th inst. in \$25, and 50 Pearls \$52.

IRON.—Sales—See the 10th inst. in \$25, and 50 Pearls \$52.

IRON AND DYES.—The market has been sold at 70 cents.

IRON AND COAL.—The market has been sold at 70 cents.

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